



United States Department of the Interior

IDAHO FISH AND WILDLIFE OFFICE

Northern Idaho Field Office

11103 East Montgomery Drive

Spokane Valley, WA 99206



March 3, 2011

Victoria Rutson, Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Subject: STB Docket No. AB-6 (Sub No. 468X), BNSF Railway Company Abandonment
Exemption in Kootenai County, Idaho (FWS Ref.: 14420-2011-I-0094; File No.
1100.0000)

Dear Ms. Rutson:

This responds to your February 4, 2011, letter describing the proposed abandonment 6.23 miles of Burlington Northern Santa Fe (BNSF) rail line beginning at milepost 6.10 at Post Falls, Idaho and ending at milepost 12.33 at Coeur d'Alene, Idaho. Your letter was received in our office on February 9, 2011, and requested U.S. Fish and Wildlife Service (Service) concurrence with your determination of effect for the bull trout (*Salvelinus confluentus*).

Portions of the railway line that BNSF is seeking to abandon are located adjacent to the Spokane River. Bull trout are present in the Spokane River in the vicinity of the proposed action. However, salvage activities undertaken to abandon the rail line will not involve any in-water work, and all abandonment activities will occur within the railroad right-of-way. Additionally, BNSF will require utilization of appropriate Best Management Practices (e.g., concrete jersey barriers) for sediment and erosion control to minimize the potential for generated sediment entering the river.

You have requested the Service concur with your determination that the project, as proposed, will have no effect on the bull trout. The Endangered Species Act of 1973, as amended (Act) implementing regulations (50CFR Part 402) do not specifically provide for Service concurrence with an action agency's determination that its proposed action will have no effect on listed species. However, in response to your request and based on the information you have provided to us, the Service agrees with your determination that the project, as proposed and analyzed, will have no effect on bull trout.

This concludes informal consultation pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended (Act). This project should be re-analyzed if new information reveals that effects of the action may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; and/or if a new species is listed or critical habitat is designated that may be affected by this project.

If you have further questions about this letter, or your responsibilities under the Act, please contact Bryon Holt at the above address (telephone: 509-893-8014; fax: 509-891-6748).

Sincerely,



Toni Davidson
Acting Assistant Field Supervisor

cc: IDFG, CdA, ID